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[1] A: No, he did not.
[2] Q: Did you or Lamm do that?
[3] A: No, we did not.
[4] Q: Did Hesse tell you not to do
[5] that?
[6] A: No. He just told us not to write
[7] summonses. He confiscated the two bongs
[8] that were in open sight. Said something —
[9] yelled at them about why we were standing
[10] there. And "the reason they're there is
[11] because I assigned them there," and that was
[12] it. We walked away.
[13] Q: Now these were underaged kids,
[14] right?
[15] A: Some of them were, yeah. We
[16] didn't get a chance to identify everyone in
[17] the apartment, though.
[18] Q: Well, how many kids did you —
[19] how many kids did you personally identify as
[20] being underage?
[21] A: I was about to, but he stopped me
[22] from doing it. I was about to get an ID
[23] from somebody and I didn't actually get it.
[24] But there was other people in that apartment

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[1] that were minors that were known to us to
[2] being minors previously because we had seen
[3] them.
[4] Q: My question to you, sir, is how
[5] many — how many people did you get
[6] identifications from that you ascertained
[7] were a minor that night?
[8] MR. GOODSTADT: Just so we're
[9] clear, you're talking about that he got
[10] the ID in that apartment?
[11] MR. NOVIKOFF: Yes. Right.
[12] MR. GOODSTADT: Or he had
[13] gotten the ID before that by the same
[14] people?
[15] MR. NOVIKOFF: No. In that
[16] apartment.
[17] Q: In that apartment, how many IDs
[18] did you look to ascertain?
[19] A: I wasn't —
[20] Q: To ascertain that any particular
[21] individual was underage?
[22] A: I wasn't given the opportunity to
[23] ascertain anybody.
[24] Q: My question is how many. Not why

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[1] not, just how many?
[2] A: None.
[3] Q: Okay. And how many people were
[4] in that apartment?
[5] A: I don't recall the specific
[6] number, but there was probably more than
[7] five or six I would say. Probably more than
[8] that even.
[9] Q: And how many — you said you knew
[10] from prior experiences that there were a
[11] couple that were minors?
[12] A: There were several, yeah, that we
[13] saw that we recognized. Previously we had
[14] seen them and stopped them because we saw
[15] them come out of a bar and we stopped them
[16] before they walked up into the apartment to
[17] ask how old they were and ID'd them and
[18] found out.
[19] Q: And — and how many were there in
[20] the apartment that you knew from prior
[21] experiences?
[22] A: There — at least two. Maybe
[23] three.
[24] Q: And what were their names?

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[1] A: I don't remember the two girls'
[2] names. The one male's name was I think Paul
[3] Conway.
[4] Q: And do you know if they were
[5] drinking?
[6] A: Yes, they were.
[7] Q: How do you know?
[8] A: They had beers scattered all out
[9] all over, and they — some of them were
[10] holding beers, some were, you know.
[11] Q: The people that weren't holding
[12] beers, how do you know that they drank
[13] anything?
[14] A: Well, it's pretty assumed that
[15] they were drinking if they were standing
[16] there next to an empty — a half full beer
[17] or they're holding a beer.
[18] Q: I know that — I'm not talking
[19] about what they were holding. I'm talking
[20] about for those people that weren't holding
[21] any bottles of alcohol, how do you know that
[22] they had drank anything?
[23] A: I didn't know at that time.
[24] Q: Okay.

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- [1] *T. Snyder*
[2] Q: Did you complain to Loeffler?
[3] A: I don't recall complaining to
[4] Loeffler about it because I don't believe
[5] Joe Loeffler was in any position at this
[6] time. He may have been a board member. I
[7] don't know. He wasn't the mayor, as far as
[8] I know.
[9] Q: So when you say he wasn't in any
[10] position, you mean you don't think he was a
[11] trustee?
[12] A: I think he was just — right. I
[13] think he may have just been a citizen then.
[14] I'm not sure when he was a trustee or —
[15] Q: Did you complain to any trustee?
[16] A: No, I did not.
[17] Q: Did you complain to any mayor?
[18] A: No, I did not.
[19] Q: Did you raise this clearly —
[20] did you raise this clear risk that you
[21] perceived to Newsday or News 12?
[22] A: No, I did not.
[23] Q: Did you call the DA up?
[24] A: No, I did not.
[25] Q: Did you send an anonymous letter

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- [1] *T. Snyder*
[2] to the DA?
[3] A: No, I did not.
[4] Q: Did you complain to any other
[5] police station or police department
[6] concerning this incident?
[7] A: No, not concerning this incident.
[8] Q: Were you part of a union at this
[9] time?
[10] A: No. Not — not in Ocean Beach.
[11] No.
[12] Q: Okay. Let's look at 54.
[13] "Subsequently, the OBPD received complaints
[14] that occupants of the same apartment were
[15] violating noise ordinances and endangering
[16] pedestrians by throwing objects onto the
[17] sidewalk," do you see that?
[18] A: Yes, I do.
[19] Q: What's your personal knowledge
[20] that substantiates what I just read from
[21] your allegation?
[22] A: There was occasions where I was
[23] working and — and I heard over the police
[24] radio calls coming — going out over the
[25] police radio in reference to that — that

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- [1] *T. Snyder*
[2] apartment about what you just described.
[3] Q: This would — this would have
[4] been after this incident, right?
[5] A: Um, I believe it may have been a
[6] little before and a little after.
[7] Q: Okay. Because you only say
[8] "subsequently" in paragraph 54.
[9] A: Okay. Then it was after.
[10] Q: "The department also was notified
[11] that the youths were continuing to
[12] unlawfully consume alcohol and use other
[13] illegal drugs," do you see that?
[14] A: Yes, I do.
[15] Q: What other illegal drugs are you
[16] referring to?
[17] A: I believe that would be
[18] marijuana.
[19] Q: Okay. And how was the department
[20] notified?
[21] A: As to?
[22] Q: The use of illegal drugs?
[23] A: Well, the department knew it from
[24] our personal knowledge. We were there in
[25] particular.

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- [1] *T. Snyder*
[2] Q: Well, sir, you start the
[3] paragraph by saying "subsequently." So if I
[4] understand that correctly, it's subsequent
[5] to the incident involving the beer being
[6] thrown from the balcony, right?
[7] A: Right.
[8] Q: Which was in 2004, right?
[9] A: Yes.
[10] Q: So now we're in the period of
[11] time after this beer throwing incident. How
[12] was the — when was the department notified
[13] after this incident that the youths were
[14] continuing to unlawfully consume alcohol and
[15] use other illegal drugs?
[16] A: I think residents or — or people
[17] who were staying over in the village were
[18] calling about disturbances at that place
[19] involving youth parties, alcohol, marijuana,
[20] etcetera.
[21] Q: Did you ever see, subsequent to
[22] what was referenced in paragraph 52 and 53,
[23] any illegal drugs in that apartment
[24] subsequent to the incident?
[25] A: No. I never had the chance to

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(1) **T. Snyder**
(2) **Q:** Did you complain to Gary Bosetti?
(3) **A:** I don't believe so. No.
(4) **Q:** You didn't say, "Gary, listen,
(5) you do what you want to do, but you
(6) shouldn't be doing it with minors"?
(7) **A:** I don't believe I said that to
(8) him, no. Gary and I didn't talk much, so.
(9) We didn't work together too much, so we
(10) really didn't talk much.
(11) **Q:** I didn't ask you about how much
(12) you worked. I'm just saying did you ever
(13) say that to Gary?
(14) **A:** No. I didn't really have an
(15) occasion to speak to him.
(16) **Q:** You're telling me there was
(17) absolutely no occasion, subsequent to your
(18) witnessing Gary Bosetti on the balcony,
(19) where you could have said to him "you know
(20) what you're doing is absolutely wrong being
(21) on the balcony with these underage kids"?
(22) **A:** I'm sure there may have been an
(23) occasion where I could have said it, but no,
(24) I didn't say it to him.
(25) **Q:** How about that night?

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(1) **T. Snyder**
(2) **A:** Not that night, no. I didn't
(3) know where he was after — I was walking by
(4) when I saw him up there with them and they
(5) were shooting beer caps down. That's what
(6) made us look up.
(7) **Q:** You and who?
(8) **A:** Myself, Officer Lamm and Officer
(9) Fiorillo.
(10) **Q:** So the three of you could have
(11) gone upstairs and said "Gary, what are you
(12) you doing," right?
(13) **MR. GOODSTADT:** Objection.
(14) **A:** We could have, but we didn't.
(15) **Q:** Right. You didn't. Okay. Let's
(16) go to 56. I'm sorry, 55. "In yet" — this
(17) is what you allege — "in yet another
(18) instance of Hesse encouraging minors to
(19) abuse alcohol, Hesse intervened when another
(20) officer issued a citation to a minor
(21) carrying a case of beer." Did you witness
(22) this?
(23) **A:** I only witnessed the very tail
(24) end of this. I didn't witness the actual —
(25) when the incident first started.

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(1) **T. Snyder**
(2) **Q:** How did you — how did it come
(3) about that you witnessed this?
(4) **A:** I was walking up to the front of
(5) the police station when the group of minors
(6) who — the one individual, I believe Paul
(7) Conway, was with this group was being issued
(8) a summons by another officer.
(9) **Q:** Which officer?
(10) **A:** John Dyer.
(11) **Q:** John Dyer?
(12) **A:** Yes.
(13) **Q:** And did — and then it's further
(14) alleged that "in the presence of Officers
(15) Lamm and Snyder, as well as the officer who
(16) had attempted to issue the citation, Hesse
(17) returned the case of beer to the underage
(18) youth," did you see that?
(19) **A:** That's the part I did see, yes.
(20) **Q:** And did you complain to Hesse
(21) about that?
(22) **A:** We said, "What are you doing?
(23) What are you giving the beer back to him
(24) for." Myself and Officer Lamm said that.
(25) And Officer Dyer as well.

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(1) **T. Snyder**
(2) **Q:** And this was in 2004?
(3) **A:** This was in — I believe it was
(4) in the summer of 2004, yes.
(5) **Q:** Okay. And what did Hesse say to
(6) you?
(7) **A:** He didn't speak to me directly.
(8) He — he said to the group of kids, "Don't
(9) listen to him," meaning Kevin. "Nobody
(10) likes him. He's a loser. And here. Here's
(11) your beer. Go have fun." And I was
(12) standing behind George witnessing this. I
(13) couldn't understand what the hell was going
(14) on. And then Kevin walked out of the police
(15) station. He said, "You just gave that beer
(16) back to them?" He said, "John Dyer is
(17) writing him a ticket for that." And Dyer
(18) was like looking at him as well, standing
(19) there writing the ticket. He was like,
(20) "What are you doing?"
(21) **Q:** So you witnessed Hesse making
(22) that statement about Lamm?
(23) **A:** Yes, I did. I was standing right
(24) behind him.
(25) **Q:** And did you say anything to Hesse

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[1] *T. Snyder*
[2] inventoried it properly?
[3] **MR. GOODSTADT:** Objection.
[4] **Q:** Did you?
[5] **A:** I never asked him, no.
[6] **Q:** Did you ever complain to the DA
[7] about the improper storage of illegal
[8] narcotics?
[9] **A:** Yes, I did.
[10] **Q:** When?
[11] **A:** After I was fired when they asked
[12] about it.
[13] **Q:** Well, my question is prior to you
[14] being fired?
[15] **A:** Not prior to my being fired.
[16] **MR. GOODSTADT:** Objection.
[17] That wasn't your question.
[18] **MR. NOVIKOFF:** I didn't say
[19] that was my question.
[20] **Q:** My question was, prior to you
[21] being fired, did you ever complain to the DA
[22] about what you claimed to be the improper
[23] storing of illegal narcotics?
[24] **A:** I did not, no.
[25] **Q:** Did you ever complain to

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[1] *T. Snyder*
[2] Paradiso?
[3] **A:** I did not, no.
[4] **Q:** Ever complain to any of the
[5] trustees?
[6] **A:** I did not, no.
[7] **Q:** The mayor?
[8] **A:** No. Not the mayor either.
[9] **Q:** Newsday, News 12?
[10] **A:** No, I did not.
[11] **Q:** Okay. 57, you allege
[12] "Plaintiffs' complaints about Hesse's
[13] selective enforcement and blatant
[14] undermining of their authority and duties
[15] were met with disdain and derision by Hesse,
[16] who not only ignored Plaintiffs' complaints,
[17] but actually ridiculed them in response."
[18] When did Hesse ever ridicule you in
[19] response? Not Lamm, not Carter, not anybody
[20] else, you?
[21] **A:** I don't recall him actually
[22] ridiculing me to my face, so.
[23] **Q:** Okay. When did Hesse ever
[24] respond to any of your complaints with
[25] disdain and derision? Derision,

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[1] *T. Snyder*
[2] D-E-R-I-S-I-O-N?
[3] **A:** You mean derision?
[4] **Q:** Derision, yes.
[5] **A:** Well, I heard it from other
[6] police officers in the department.
[7] **Q:** My question to you is when did he
[8] respond to you personally?
[9] **A:** Okay. Not to me specifically.
[10] **MR. NOVIKOFF:** Okay. All
[11] right. How much time is left on that
[12] tape?
[13] **THE VIDEOGRAPHER:** 23 minutes.
[14] **MR. NOVIKOFF:** Oh. I thought
[15] you said it was five minutes left. Oh,
[16] okay. I thought that tape was going
[17] pretty quick.
[18] **Q:** Let's look at 58. "In yet
[19] another example of corruption at OBPD, in
[20] early September 2004, Officers Dyer and
[21] Fiorillo witnessed Officer Richie Bosetti
[22] plying an alleged domestic abuse victim with
[23] alcohol. Officer Dyer explained to Officer
[24] Snyder and Bockelman that Bosetti was trying
[25] to talk the victim out of filing a domestic

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[1] *T. Snyder*
[2] incident report," do you see that?
[3] **A:** Yes, I do.
[4] **Q:** You didn't personally witness
[5] what Bosetti was doing, right?
[6] **A:** I only came in at the tail end of
[7] him talking to her.
[8] **Q:** Did you ever see Bosetti plying
[9] this alleged domestic violence victim with
[10] alcohol?
[11] **A:** There was an open cup, a plastic
[12] cup of wine that he had that he had given to
[13] her prior to that.
[14] **Q:** Did you ever see him give that to
[15] her prior to that?
[16] **A:** I didn't see him, no.
[17] **Q:** That's all I'm asking you, sir.
[18] Did you ever see?
[19] **A:** No, I didn't see him give it to
[20] her.
[21] **Q:** Did you ever witness personally
[22] Bosetti trying to talk to the victim out of
[23] filing a domestic complaint?
[24] **A:** Yes. He was talking to her when
[25] I walked in, and he was trying to talk her

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[1] *T. Snyder*
[2] A: Yes.
[3] Q: Together?
[4] A: Yes.
[5] Q: October?
[6] A: Yes.
[7] Q: It was the end of the summer?
[8] A: Yes.
[9] Q: And the three of you were walking
[10] together?
[11] A: No. We were driving together in
[12] the truck.
[13] Q: Okay. Anyone else on duty that
[14] night?
[15] A: Just us three.
[16] Q: To cover the entire island?
[17] A: No. Just that village.
[18] Q: I mean the Village of Ocean
[19] Beach?
[20] A: That's correct.
[21] Q: So when the first call came in,
[22] how was it that Kevin responded if he was in
[23] the car with you?
[24] A: He — we had the department cell
[25] phone. We would lock up the police station

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[1] *T. Snyder*
[2] and call forward the phone to the cell phone
[3] so we can go on patrol and answer the calls
[4] when people call in.
[5] Q: Okay.
[6] A: But that — that was a procedure
[7] over there.
[8] Q: So Kevin responded to the call?
[9] A: All three of us did. We were
[10] altogether.
[11] Q: But you said you didn't respond
[12] to the first call?
[13] A: No. What I meant is Kevin picked
[14] up the phone and answered the first phone
[15] call. I answered the second one.
[16] Q: Okay. And then the three of you
[17] arrived at Houser's together?
[18] A: That's correct.
[19] Q: Okay. And were you prevented
[20] from going into Houser's?
[21] A: At some point after we got there,
[22] yes. Just briefly.
[23] Q: Well, you got to Houser's, right?
[24] A: Yes.
[25] Q: You walked up to the door that

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[1] *T. Snyder*
[2] people go through, right?
[3] A: Right. Well, we didn't actually
[4] get to the door when we first got there,
[5] because people were piling out and walking
[6] down the walks, and there was a group of
[7] people arguing with some people standing in
[8] the doorway.
[9] Q: Okay. And who was arguing with
[10] who?
[11] A: The group that was arguing —
[12] that was standing on the walkway arguing was
[13] the group that — them had been assaulted
[14] and their friend had been assaulted, and
[15] they were arguing with the bouncer and
[16] several other patrons of the bar who I don't
[17] recall exactly who they were.
[18] Q: So two of the civilians that you
[19] claimed to have been assaulted were arguing
[20] with the bouncer?
[21] A: Yes. But I didn't claim they
[22] were assaulted. They were assaulted.
[23] Q: You just used the word
[24] "assaulted."
[25] A: That's what you just said.

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[1] *T. Snyder*
[2] Q: Doesn't assault have with it some
[3] kind of connotation?
[4] A: Yes, it does.
[5] Q: And what —
[6] A: You said claim. I'm not claiming
[7] they were assaulted. They were assaulted.
[8] That's why we were called there.
[9] Q: How do you know they were
[10] assaulted? What does "assault" mean?
[11] A: Assault?
[12] Q: Yes.
[13] MR. GOODSTADT: Objection.
[14] A: Assault means physically —
[15] physically grab or hit or punch or somebody
[16] kick them. To physically hit them.
[17] Q: Oh, so assault just means to
[18] be — to have been hit?
[19] A: You could be — well, you could
[20] be I guess verbally assaulted. People can
[21] look at it that way, too.
[22] Q: Okay. But we're not talking
[23] about physically assaulted. You mean they
[24] just happen to have been hit with something
[25] that night, whether it was a fist or a pool

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(1) *T. Snyder*
(2) A: He just stepped aside. He didn't
(3) say anything.
(4) Q: So this whole interaction with
(5) the bouncer took about what, five seconds?
(6) MR. GOODSTADT: Objection.
(7) A: It wasn't that long.
(8) Q: What's that?
(9) A: It wasn't that long.
(10) Q: 10 seconds?
(11) A: I guess maybe. Yeah.
(12) Q: So you went in?
(13) A: Right. We walked in the bar.
(14) Q: And Lamm was right behind you?
(15) A: I believe Lamm was — was right
(16) behind me. Yes.
(17) Q: Okay.
(18) A: I'm not sure exactly how far or
(19) how close, but.
(20) Q: Okay. And then what did you do?
(21) A: Well, when we walked in the bar,
(22) there was very few people left in the bar.
(23) Q: Okay.
(24) A: You know, I'm not sure exactly
(25) the number. But there was a few people left

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(1) *T. Snyder*
(2) in the bar, and it was pretty quiet in
(3) there. The music was off. And I told the
(4) one individual I was in there with, I said,
(5) "Well, take a look around. Point out the
(6) person who did this to you." And he looked
(7) around. He said, "He's not in here." I
(8) said, "Well, go take a look in the back
(9) deck, there's a back area here where you can
(10) also hang out. There's tables back there."
(11) So we talked back there.
(12) Q: Okay.
(13) A: And he looked around. Didn't see
(14) anybody back there. And he goes, "He's not
(15) here, but he looked exactly like him," and
(16) he pointed.
(17) Q: Who did he point to?
(18) A: At Richie Bosetti.
(19) Q: So he looked exactly like Richie
(20) Bosetti?
(21) A: He said he looked just like him,
(22) only shorter is what he said.
(23) Q: Did he claim that Richie Bosetti
(24) hit him?
(25) A: At that time, no.

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(1) *T. Snyder*
(2) Q: At any time did he claim that
(3) Richie Bosetti hit him?
(4) A: I don't recall, but he was part
(5) of — he was very agitated at Richie for
(6) being part of the incident, though.
(7) Q: I'm not asking you whether he was
(8) agitated or not. Did he ever —
(9) A: He didn't say specifically.
(10) Q: That night, did he ever claim to
(11) you that Richie Bosetti hit him?
(12) A: He didn't say it at that time,
(13) no.
(14) Q: But he said the person that hit
(15) him looked exactly like Richie Bosetti?
(16) A: Right.
(17) Q: Okay. What did you do next after
(18) he said that a guy that looks exactly like
(19) him hit me?
(20) A: We took them outside and then I
(21) said to Kevin and to Frank, "Let's take him
(22) to the police station to get looked at.
(23) Make sure they didn't have any underlining
(24) injuries. Let's call rescue and have it
(25) looked at. Let's document what they're

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(1) *T. Snyder*
(2) claiming. Write it up."
(3) Q: Okay. And how many were there,
(4) two or three?
(5) MR. GOODSTADT: Objection. How
(6) many what were there?
(7) Q: How many people were alleging
(8) that they were assaulted?
(9) A: Well, there was two there at that
(10) time.
(11) Q: Okay. So how many people — how
(12) many did you take to the police station, two
(13) or three?
(14) A: We took two, and then there was
(15) several women with them. I forget. Two or
(16) three women with them.
(17) Q: Okay. But only two civilians
(18) said that they were assaulted?
(19) A: At that time, yes.
(20) Q: Well, at any other time was there
(21) more?
(22) A: There was one more, yeah.
(23) Q: Okay. And who was that?
(24) A: Brian Vankoot.
(25) Q: And when did he show up, if at

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[1] *T. Snyder*
[2] he? What is he? Who is he? What's he
[3] doing here?" And I said, "He's a police
[4] officer in the village." And they said,
[5] "We — I knew it. We knew it. You guys are
[6] trying to cover this up." I said, "Calm
[7] down. Nobody's trying to cover anything
[8] up."
[9] Q: And then what — when did you go
[10] to Bosetti to ask him to leave?
[11] A: We asked him, we said, "Richie,
[12] can you please leave because" —
[13] Q: Not "we," you.
[14] A: Okay. Myself and the other
[15] officers, but myself, I asked him, "Richie,
[16] can you please leave because they're getting
[17] very agitated by seeing you, you know,
[18] because of this incident that just occurred.
[19] So can you please leave so we can calm them
[20] down."
[21] Q: And did he?
[22] A: He did leave, yes.
[23] Q: Through the same front door that
[24] he came in?
[25] A: Yes. He walked back out passed

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[1] *T. Snyder*
[2] them and out the front door.
[3] Q: Okay. And then anybody else show
[4] up at the police station?
[5] A: A short time after that the
[6] rescue department, Ocean Beach Rescue showed
[7] up.
[8] Q: And did you recognize anyone at
[9] the time with Ocean Beach?
[10] A: Um, I recognized several people,
[11] yeah.
[12] Q: Okay. And who were they?
[13] A: Well, one of them was Dale. I
[14] can't think of her last name at the moment.
[15] She was one of the EMTs there. She was also
[16] the post master, so that's why I knew her.
[17] There were other ones who were village
[18] residents that I knew them by face. I just
[19] didn't know their names. And Joe Loeffler,
[20] who was driving the ambulance that day.
[21] Q: Okay. And did Joe Loeffler say
[22] anything while he was in the police station?
[23] A: Yes, he did.
[24] Q: What did he say?
[25] A: At some point, Kevin — excuse

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[1] *T. Snyder*
[2] me — Frank came walking back in at this
[3] point with the third victim Vankoot.
[4] Q: Okay.
[5] A: And when he walked him in and we
[6] saw him, I said to Kevin, "You got to
[7] photograph him," and I looked at his face.
[8] He was beat up pretty badly.
[9] Q: I'm still waiting to hear what
[10] Loeffler said.
[11] A: Okay. And then Kevin said — he
[12] says, "I'm on it, Tommy." He was picking
[13] the camera up to photograph him. I said,
[14] "Because it's at least an assault third,"
[15] and Joe Loeffler, who was standing in the
[16] doorway watching all this go on, said, "It's
[17] an assault third? It's an assault second
[18] with a dangerous instrument."
[19] Q: Okay. When you say Loeffler was
[20] watching this all go on, what was he
[21] watching?
[22] A: He was driving the ambulance —
[23] Q: What was going on that you just
[24] referred to?
[25] A: Rescue was treating them, looking

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[1] *T. Snyder*
[2] at their injuries where they were claiming
[3] they were hurt, and we were attempting to
[4] take statements from them at the same time.
[5] It was very difficult because the way that
[6] police station is situated, there's really
[7] not like an interview room. So we had a
[8] large amount of people in a very small room.
[9] Smaller than this room.
[10] Q: Okay. So you make the statement
[11] to Lamm you think it's an assault third?
[12] A: I said, "It's at least an assault
[13] third."
[14] Q: And Loeffler goes "no, I think
[15] it's an assault second with a deadly
[16] weapon"?
[17] A: Assault second with a dangerous
[18] instrument. He corrected me.
[19] Q: Okay. Did Loeffler say anything
[20] else?
[21] A: That's all he said at that time.
[22] Q: Loeffler was there driving the
[23] ambulance, right?
[24] A: Yes. That's the reason why he
[25] was there.

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[1] *T. Snyder*
[2] village engaged in a cover up concerning the
[3] Halloween incident, right?
[4] **MR. GOODSTADT:** Objection.
[5] **Q:** Do you?
[6] **A:** It's in my complaint, right?
[7] Yes.
[8] **Q:** So you allege that the village
[9] engaged in a cover up concerning the
[10] Halloween incident, right?
[11] **MR. GOODSTADT:** Objection.
[12] **A:** Yes.
[13] **Q:** Okay. What did Loeffler do as
[14] part of this cover up, if anything, to your
[15] knowledge?
[16] **A:** Well, to my knowledge, George
[17] told me when he found out about the
[18] incident, he asked me to write a 42 with
[19] regard — because he was investigating it,
[20] he said that Joe Loeffler said, "We have to
[21] turn this around." Those were his exact
[22] words.
[23] **Q:** Hesse said to you —
[24] **A:** Said to me in a phone
[25] conversation.

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[1] *T. Snyder*
[2] **Q:** That Joe said "we have to turn
[3] this around"?
[4] **A:** That's correct.
[5] **Q:** Okay. Anything else that you
[6] attribute to Loeffler that makes you believe
[7] that he was part of a conspiracy to cover up
[8] the Halloween incident?
[9] **A:** No. There's nothing that I can
[10] recall.
[11] **Q:** That's all I'm asking. Okay. So
[12] now you called rescue. Rescue came there.
[13] Rescue left. Were the three alleged victims
[14] still in the police station after rescue
[15] left?
[16] **A:** Um, no. The one victim, Vankoot,
[17] was the one that they insisted be
[18] transported because they thought he had an
[19] unaligned trachea. His neck, they didn't
[20] like what they saw, and they — they
[21] requested that we call Suffolk Police Marine
[22] Boat to transport him off to the hospital
[23] off the island.
[24] **Q:** So who was left in the police
[25] station after rescue left?

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[1] *T. Snyder*
[2] **A:** Well, the victims — the two
[3] other victims and their friends, they all
[4] went back to wherever they were staying.
[5] Rescue had left. So left in the police
[6] station, after we called the marine boat and
[7] they took the one victim, Vankoot, and one
[8] of the girls with him, I don't recall her
[9] name, it was then me, myself and Kevin.
[10] **Q:** Okay. You —
[11] **A:** Me, Frank and Kevin. Excuse me.
[12] **Q:** Okay. So just go through, you,
[13] Kevin, Frank and who else?
[14] **A:** That would be it then, after
[15] everybody left.
[16] **Q:** And then what did you do?
[17] **A:** Well, we put together the whole
[18] package of the police report, the PCR's,
[19] which is the report that the medical
[20] personnel write up on people, the
[21] photographs, and we just put that
[22] altogether.
[23] **Q:** Did you fill out any of the
[24] reports that night before you left?
[25] **A:** The field report, yes.

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[1] *T. Snyder*
[2] **Q:** Okay. And what's the field
[3] report?
[4] **A:** The field report is a document
[5] you create for any call for service or any
[6] incident that the police respond to.
[7] **Q:** Okay. Did you look for Gary
[8] Bosetti that night?
[9] **A:** I did not, no.
[10] **Q:** Do you know if Kevin or Frank
[11] did?
[12] **A:** Um, as far as I know, they did
[13] not either.
[14] **Q:** Was Hesse on duty that night?
[15] **A:** No, he wasn't.
[16] **Q:** How close to the end of the shift
[17] did the Halloween incident take place? End
[18] of your shift?
[19] **A:** It's sometime around 2:30 I guess
[20] is when we initially got the call.
[21] **Q:** So it was towards the beginning
[22] of your shift?
[23] **A:** Towards the beginning, yes.
[24] **MR. NOVIKOFF:** Okay. Tape is
[25] over. Let's take a break.

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[1] *T. Snyder*
[2] 1991.
[3] Q: When did you graduate?
[4] A: In May of 1991.
[5] Q: Do you have any training in
[6] firearms?
[7] A: Yes, I do.
[8] Q: And what kind of training do you
[9] have?
[10] A: I was originally trained in the
[11] .38 caliber police revolver. That was the
[12] issued weapon at the time. And then they
[13] upgraded it to the nine millimeter glock.
[14] Q: Do you have any firearm
[15] certification?
[16] A: Certified in what way?
[17] Q: You tell me. Do you have any
[18] kind of certification in firearms?
[19] MR. GOODSTADT: Objection.
[20] A: I'm certified to use the weapon.
[21] I was certified on the police range.
[22] Q: And how were — who certified
[23] you to do that?
[24] A: I was certified by the Suffolk
[25] County police, the pistol bureau, and also

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[1] *T. Snyder*
[2] Suffolk County Sheriff pistol bureau at some
[3] time.
[4] Q: And when did you obtain a pistol
[5] permit?
[6] A: I didn't need a pistol permit. I
[7] was a police officer.
[8] Q: And when did you first obtain
[9] your permission to use a pistol?
[10] MR. GOODSTADT: Objection.
[11] A: When I graduated the police
[12] academy.
[13] MR. GATTO: I have no further
[14] questions.
[15] (Mr. Gatto left the deposition.)
[16] EXAMINATION BY
[17] MR. NOVIKOFF:
[18] MR. NOVIKOFF: Okay.
[19] Q: Sir, let's go back to the night
[20] of the Halloween incident. Other than —
[21] well, did you take — did you personally
[22] interview any of the alleged victims?
[23] A: Yes. One of them I did.
[24] Q: Who did you —
[25] A: John Tesoro.

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[1] *T. Snyder*
[2] Q: And how long did you talk to him?
[3] A: I'm not sure exactly how long,
[4] but while he was in the police station, it
[5] was also — during while he was being looked
[6] at by rescue at the same time.
[7] Q: Okay. And who spoke to Vankoot?
[8] A: Um, I believe it was Frank, but
[9] I'm not quite sure.
[10] Q: And who spoke to the other
[11] individual?
[12] A: I believe Kevin spoke to Shalick.
[13] Q: And did you — did you do any
[14] investigation that evening into the
[15] incident?
[16] MR. GOODSTADT: Objection. I
[17] think he testified to a bunch of stuff
[18] he's already done.
[19] Q: I'm asking, other than talking
[20] to John Tesoro, did you do any other
[21] investigation?
[22] A: Just what we investigated at the
[23] scene and then what we brought back to the
[24] police station.
[25] Q: And when you say what you

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[1] *T. Snyder*
[2] investigated at the scene, what did you
[3] investigate?
[4] A: What I already testified to.
[5] What I told you I did.
[6] Q: Fine. And did you talk to any
[7] alleged witnesses of — that night, before
[8] you left at the end of your shift, did you
[9] talk to any alleged witnesses to the alleged
[10] assault?
[11] A: I attempted to talk to them in
[12] the bar. Nobody would talk to us or
[13] cooperate with us. And then everybody had
[14] left and gone home, the bar had closed, so
[15] there was no one else to talk to.
[16] Q: Putting aside whether they
[17] cooperated with you or not, the answer is
[18] no, you didn't talk to any alleged witnesses
[19] to the incident?
[20] A: No. No witnesses would talk to
[21] me.
[22] MR. GOODSTADT: Objection.
[23] Q: And you took no statement from
[24] anybody witnessing the event, other than
[25] John Tesoro, correct?

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[1] **T. Snyder**
[2] to anything the woman said?
[3] **A:** Not to my knowledge, no.
[4] **Q:** Did Fiorillo, in whatever report
[5] he may have done that night, did he make any
[6] reference to what any of the women may have
[7] said?
[8] **A:** Not — not to my knowledge, no.
[9] **Q:** Same question with Lamm?
[10] **A:** Not to my knowledge, no.
[11] **Q:** Who did — of the women, who did
[12] you speak to?
[13] **A:** I'm not sure what her name was.
[14] It was either Alanna or Diane, but I'm not
[15] very sure.
[16] **Q:** How long did you speak to her
[17] for?
[18] **A:** Just very briefly. She was
[19] sitting right next to John when I was
[20] interviewing John, and basically she was
[21] listening, and then when Richie walked in,
[22] she, you know, was getting all agitated,
[23] too, with them.
[24] **Q:** I didn't ask you about when
[25] Richie came in. What did you ask of this

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[1] **T. Snyder**
[2] woman that you spoke to in the police
[3] station?
[4] **A:** Well, I spoke to her outside in
[5] front of the bar originally. I didn't
[6] really speak to her too much in the police
[7] station.
[8] **Q:** Okay. Then let's go to the bar.
[9] What did you ask her at the bar?
[10] **A:** About what had happened, and
[11] she — she reiterated that, you know, her
[12] friends got beat up in the bar by guys who
[13] allegedly were off duty cops.
[14] **Q:** The woman told you at the bar —
[15] **A:** Yes. Outside the bar.
[16] **MR. GOODSTADT:** Let him finish.
[17] **Q:** Is that your testimony, that when
[18] you showed up at the bar, the woman that you
[19] interviewed, that you talked to said that
[20] her boyfriend was beat up allegedly by an
[21] off duty policeman?
[22] **A:** They were all saying that when we
[23] first got there. And they were all claiming
[24] we were going to cover it up.
[25] **Q:** Who is "they all"?

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[1] **T. Snyder**
[2] **A:** The victims of the assault.
[3] **Q:** They claimed —
[4] **A:** Chris, John, and the girls.
[5] **Q:** They claimed at the bar that you
[6] were going to cover it up?
[7] **A:** Yes, they did. They were yelling
[8] that out in the street.
[9] **Q:** Okay.
[10] **A:** When we first pulled up.
[11] **Q:** What else did you ask of this
[12] woman at the bar?
[13] **A:** I just — what happened that
[14] night. What happened then.
[15] **Q:** And what did she say
[16] specifically?
[17] **A:** That they had gotten into a fight
[18] with these people who were playing pool who
[19] was off duty cops and beat up his friends.
[20] They beat them up actually.
[21] **Q:** Did she give you any specifics?
[22] **A:** Saying that they got — just a
[23] regular fight with, you know, fists and
[24] kicked and punched and a pool cue was
[25] involved.

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[1] **T. Snyder**
[2] **Q:** Were you writing down at this
[3] time what she was saying?
[4] **A:** No, I wasn't, because everyone
[5] was still —
[6] **Q:** My question to you was did you
[7] write anything down?
[8] **A:** No, I was not.
[9] **Q:** Isn't that normal protocol when
[10] you're asking a potential witness to an
[11] event like this what happened, to write down
[12] what he or she was saying?
[13] **MR. GOODSTADT:** Objection.
[14] **A:** I couldn't interview her properly
[15] in normal protocol because the situation was
[16] still out of control.
[17] **Q:** That wasn't my question. Is it
[18] normal policy to write down what an alleged
[19] witness is saying to you about an event that
[20] you investigated?
[21] **A:** Yes. If I'm sitting down and
[22] doing normal protocol with that.
[23] **Q:** The answer is yes, right? Normal
[24] protocol, right?
[25] **MR. GOODSTADT:** His answer is

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T. Snyder

[1] was being choked," and I turned to him, I
[2] said, "What woman, Richie?" Because he was
[3] standing off to the side behind me. I said,
[4] "What woman, Richie? Where is she?" And he
[5] looked around. And I said, "There's no
[6] woman here. Where's your brother?" And
[7] that was it.

[8] Q: And when Richie went into the
[9] police station, you didn't ask him at that
[10] point in time, "listen, hang around, I want
[11] to take a statement from you?"

[12] A: We wanted — we asked him to
[13] leave the station because they were getting
[14] very agitated. I said, "Please, Richie can
[15] you leave so we can have them treated and we
[16] can take a statement from them."

[17] Q: I got that.

[18] A: And he left.

[19] Q: I got that's what you said to
[20] Bosetti. My question to you is a little
[21] different, sir. At any point in time while
[22] Bosetti, Richie Bosetti was in the police
[23] station, did you ask him to hang around for
[24] a while so that you can take his statement,
[25]

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T. Snyder

[1] even if it meant he was hanging around down
[2] the block?

[3] A: No, I didn't say that to him.

[4] Q: Okay. Did Lamm say that?

[5] A: Not to my knowledge.

[6] Q: Fiorillo?

[7] A: I have no idea if Frank or Kevin
[8] spoke to him about it.

[9] Q: So if I understand this
[10] correctly, other than the victim the alleged
[11] victims and who you believe were their
[12] girlfriends, the only witness that you had,
[13] that you knew about to this incident, you
[14] didn't interview?

[15] MR. GOODSTADT: Objection.

[16] A: The only witness?

[17] Q: Yeah.

[18] A: The only witness who —

[19] Q: That you knew about.

[20] MR. GOODSTADT: Objection.

[21] Q: Correct?

[22] A: There was plenty of witnesses.

[23] Q: But you didn't know the names of
[24] them, right? Did you know the identity of
[25]

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T. Snyder

[1] any witness that evening, other than the
[2] victims and the girlfriends that you —

[3] A: No. Like I said before, a lot of
[4] people —

[5] Q: I understand.

[6] A: Left and wouldn't cooperate.

[7] Q: I understand you said a lot of
[8] people spread out and they didn't cooperate.

[9] I get that. Do you — did you know that

[10] night of any — of the identity of any

[11] witness, other than Richard Bosetti, the

[12] victims and the victims' girlfriends?

[13] A: At that night I did not.

[14] Q: So if I understand your testimony
[15] correctly, other than the girlfriend and the
[16] victims, the only witness that you knew,
[17] Richard Bosetti, you didn't take a statement
[18] from that night?

[19] A: Not at that time I didn't, no.

[20] Q: Okay. And, in fact, you and Lamm
[21] and Fiorillo allowed him to leave before you
[22] had an opportunity to take his statement,
[23] correct?

[24] A: We asked him to leave. Just
[25]

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T. Snyder

[1] leave that room. We didn't tell him where
[2] to go at that point.

[3] Q: You didn't tell him to stay
[4] anywhere, right?

[5] A: He's a police officer. He should
[6] know what to do as well as us, right?

[7] MO MR. NOVIKOFF: I'm moving to
[8] strike.

[9] Q: Isn't it true that you, Fiorillo
[10] and Lamm allowed Richard Bosetti —

[11] A: Yes, we did.

[12] Q: — to leave without taking his
[13] statement?

[14] A: Yes, we did, because of the
[15] situation.

[16] MO MR. NOVIKOFF: Motion to
[17] strike.

[18] Q: I'll ask it again, sir, yes or
[19] no, isn't it true that you, Fiorillo and
[20] Lamm allowed Richard Bosetti to leave
[21] without taking his statement?

[22] MR. GOODSTADT: Objection.

[23] Answer it the way you want to answer
[24] it. Let him make whatever motion,
[25]